

1607

FAX RECEIVED

NOV 14 2001

GROUP 1600

MORRISON & FOERSTER LLP

Attorneys at Law
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5100
Facsimile: (858) 720-5125

OFFICIAL

To: **Examiner Davis**
U.S. Patent and Trademark Office

Facsimile: 703 305 3014
703 872 7306
Telephone: 703-305-2008

From: Kate H. Murashige

Date: November 13, 2001

We are transmitting a total of **6** pages (including this page).
Original or hard copy to follow if this box is checked ☒

Preparer of this slip has confirmed that facsimile number given is correct: 9111/TMP

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments: Serial No. 09/389,000
Our reference: 51158-20027.00

Docket No.: 511582002700	Atty: Kate H. Murashige <i>KH</i>
Serial No.: 09/389,000	Filing Date: 31 August 1999
Title: PHELIX: A TESTIS-SPECIFIC PROTEIN EXPRESSED IN CANCER	
Date of Mailing: November 13, 2001 via First Class Mail	

Papers enclosed herewith:

1. Transmittal Form (1 page)
2. Amendment Under 37 CFR §1.111 (2 pages)
3. Return Postcard

THE STAMP OF THE UNITED STATES PATENT AND TRADEMARK OFFICE HEREON
WILL ACKNOWLEDGE RECEIPT VIA FIRST CLASS MAIL OF THE ABOVE DOCUMENTS



MORRISON & FOERSTER LLP
3811 VALLEY CENTRE DRIVE
SUITE 500
SAN DIEGO, CA 92130-2332

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

3

Application Number

09/389,000

Filing Date

31 August 1999

First Named Inventor

Daniel E. H. AFAR, et al.

Group Art Unit

1642

Examiner Name

M. Davis

Attorney Docket No.

511582002700

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Assignment Papers☐ After Allowance Communication to Group☐ Fee Attached☐ Drawing(s)☐ Appeal Communication to Board of Appeals and Interferences☒ Amendment / Reply☐ Licensing-related Papers☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ After Final☐ Petition☐ Proprietary Information☐ Affidavits/declarations☐ Petition to Convert to a Provisional Application☐ Status Letter☐ Extension of Time Request☐ Change of Correspondence Address☒ Other Enclosure(s) (please identify below):☐ Express Abandonment Request☐ Terminal Disclaimer☒ Return Postcard☐ Information Disclosure Statement,
PTO Form 1449, References☐ Request for Refund☐☐ Certified Copy of Priority Document(s)

Remarks

☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 C.F.R. 1.52 or 1.53☐ CD, Number of CD(s) _____☐**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm

Kate H. Mureshige Reg. No. 29,959


or

Morrison & Foerster LLP

Individual Name

3811 Valley Centre Drive, Suite 500, San Diego, California 92130

Signature

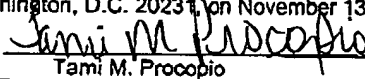


Date

November 12, 2001

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.


Tami M. Procopio

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Issue Fee, Washington, DC 20231.

PATENT
Docket No. 511582002700

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.

Tami M. Procopio
Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR, *et al.*

Serial No.: 09/389,000

Filing Date: 31 August 1999

For: PHELIX: A TESTIS-SPECIFIC
PROTEIN EXPRESSED IN CANCER

Examiner: Minh-Tam B. Davis

Group Art Unit: 1642

#15
Harry
Nov. 30, 2001

**AMENDMENT UNDER 37 C.F.R. §1.111
(RESPONSE TO RESTRICTION REQUIREMENT)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to an Office Action herein mailed 10 October 2001, time for response to which was set to expire 10 November 2001. Election of species was required.

Applicants elect to prosecute the species amino acids 140-154 of SEQ ID NO 2. Claims reading on this species are claims 56-62, 64-66 and 77.

Applicants understand that should claims to this species be found patentable, additional species and generic claims will be examined.